

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

**LISA WOOD,** )  
22027 Osborn Road )  
Higginsville, MO 64037, )

**and** )  
)

**RICHARD WOOD,** )  
22027 Osborn Road )  
Higginsville , MO 64037, )

**Plaintiffs,** )

v. )

**Case No.:** \_\_\_\_\_

**TA OPERATING CORPORATION,** )  
**d/b/a TRAVELCENTERS OF** )  
**AMERICA,** )

(Serve Registered Agent: )  
CT Corporation System )  
120 South Central )  
Clayton, MO 63105), )

**Defendant.** )

**WITH JURY DEMAND**

**COMPLAINT**

For their causes of action against Defendant TA Operating Corporation, d/b/a TravelCenters of America (Defendant or Travel Center), Plaintiffs Lisa Wood and Richard Wood (Plaintiffs) allege the following:

1. Plaintiffs are husband and wife and reside within the Western District of Missouri, Western Division.

2. Defendant is a corporation duly organized under the laws of Delaware and licensed as a

foreign corporation under the laws of Missouri. Defendant is engaged in business in the Western District of Missouri including, without limitation, at 102 N.W. 4th Street, Concordia, Missouri 64020.

### **JURISDICTION**

3. Jurisdiction arises under 28 U.S.C. §1331 and Plaintiffs' causes of action arise out of violations of the Fair Credit Reporting Act, 15 U.S.C. §1681, et seq. (FCRA).

4. Venue is proper under 28 U.S.C. §1391 because Defendant resides in the Western District of Missouri within the meaning of 28 U.S.C. §1391(c).

### **ALLEGATIONS**

5. Plaintiffs incorporate the allegations of paragraphs 1 through 4, supra.

6. Plaintiffs were employed with Defendant at its location in Concordia, Missouri in 1999.

7. After the employment of both Plaintiffs ended, Defendant, acting through agents, directly or indirectly, requested and obtained consumer reports from a consumer credit reporting agency for each Plaintiff, by misrepresenting that the purpose of the request for the consumer credit reports were for "employment purposes." The purpose of Defendant in requesting the consumer credit reports was not for any "employment purpose" as that term is used in the FCRA, nor for any other lawful purpose under the FCRA and, therefore, the requests by Defendant violated the FCRA and were unlawful.

8. On or about May 30, 2000, Plaintiff Lisa Wood filed a Charge of Discrimination with the Equal Employment Opportunity Commission and Missouri Commission on Human Rights, alleging sexual harassment in violation of Title VII, 42 U.S.C. §2000e, et seq. and the Missouri Human Rights Act. Defendant received notice of such filing shortly thereafter. Further, Defendant was aware of Plaintiff's

complaints of sexual harassment before Plaintiff Lisa Wood had left her employment with Defendant through complaints from both Plaintiffs and from other employees.

9. Before the termination of his employment with Defendant, Plaintiff Richard Wood complained to Defendant about the sexual harassment of his wife, Plaintiff Lisa Wood.

10. Both Plaintiffs engaged in protected activity that gave rise to the right not to be retaliated against under the law under Title VII and the Missouri Human Rights Act.

11. Defendant's requests for a consumer report on Plaintiffs Lisa Wood and Richard Wood were motivated by their desire to investigate, harass, annoy and embarrass Plaintiffs, and for reasons and purposes not authorized by the FCRA. By requesting consumer reports on Plaintiffs because of the protected activities engaged in by Plaintiffs, Defendant additionally violated §604(b)(1)(A)(ii) of the FCRA because the information from the consumer reports were intended to be and in fact were used in violation of Federal and State equal employment laws pertaining to nondiscrimination and prohibitions against retaliation.

12. Defendant's actions were willful.

13. As a result of Defendant's violations of the FCRA, Plaintiffs have suffered actual damages including inconvenience, embarrassment, humiliation, and loss of privacy rights. In addition or in the alternative, Plaintiffs are entitled to recover statutory damages as provided in the FCRA.

14. Plaintiffs are also entitled to the recovery of punitive damages, costs and attorneys' fees as provided by the FCRA.

**WHEREFORE**, Plaintiffs pray for actual and statutory damages, for punitive damages, attorneys' fees, costs, interest and such further relief as is appropriate under the law.

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby request a jury trial on all allegations and matters contained herein.

**BRATCHER & GOCKEL, L.C.**

By \_\_\_\_\_

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